

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
January 7, 2020

Name of Offender: **Henry Lee Stuckey**

Case Number: **2:11CR00021**

Name of Sentencing Judicial Officer: **Honorable Philip M. Pro**

Date of Original Sentence: **September 4, 2012**

Original Offense: **Wire Fraud, Mail Fraud and Simple Assault**

Original Sentence: **137 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **October 11, 2019**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **Community Service** – You must complete 20 hours of community service within 30 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

CAUSE

On January 7, 2019, Stuckey again failed to appear for a scheduled drug test. It should be noted this is his fourth missed drug test since his commencement on supervision. When questioned regarding the missed test, he stated he forgot to call the drug line. He successfully completed his previous sanction of completing the drug testing logs in December 2019. Due to the extremely recent completion of the previous sanction, the undersigned believes the recommended 20 hours of community service work is an appropriate sanction for his missed drug test. He was advised to maintain the drug log on his own if he believes that would assist him.

RE: Henry Lee Stuckey

Prob12B
D/NV Form
Rev. June 2014

Attached is a waiver of hearing form signed by the offender to modify his conditions accordingly. The offender was explained his right to a hearing and the assistance of counsel but waived those rights and agreed to the requested modification.

Respectfully submitted,

Kamuela K Kapanui
United States Probation Officer

Approved:

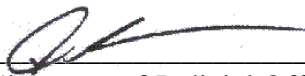
Joy Gabonia
Supervisory United States Probation Officer

RE: Henry Lee Stuckey

Prob12B
D/NV Form
Rev. June 2014

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

01/09/2020

Date

UNITED STATES DISTRICT COURT

District of Nevada

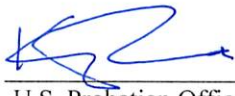
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

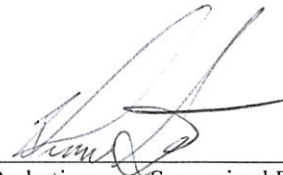
1. **Community Service** – You must complete 20 hours of community service within 30 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee
(Stuckey, Henry Lee)

11/7/2020
Date